

REMARKS

By the above actions, claim 1, has been further amended to correct a discovered informality, and new claims 13 & 14 have been added. It is noted that support for the new claims with regard to use of the backchannel browser and first and second display windows can be found, e.g., in Figs. 1 & 2 and the discussion thereof in Applicant's specification. In view of these actions and the following remarks, further consideration of this application is requested.

The rejections of claims 1-12 under 35 USC § 103 based on the Dyer, Madison, Hewitt et al., Gorodetsky et al., Lippiner et al., and Musgrove references, alone or in combination, are respectfully traversed for the following reasons.

Claim 1 recites the novel feature that upon initiation of a data transmission process by a user of a client using a browser without a backward channel, a control mechanism on a query data server automatically recognizes that the data transmission process to be started requires use of a browser with a backward channel, after which a browser with the backward channel is caused to be started on the client, the browser with the backward channel being for the recited data transmission process.

By contrast, contrary to the assertions in the present Office Action, none of the applied references, alone or in combination, disclose, teach or suggest at least the noted features recited in claim 1. Specifically, Dyer is silent with respect to use of a backward channel in the manner claimed. Madison is also silent with respect to use of a backward channel in the manner claimed, as are the remaining applied references.

In the present Office Action, at pages 4 and 10, attempts to cure such deficiencies in Dyer and Madison are based on the assertion that Madison discloses a system wherein a web server detects whether a client web browser has necessary software to enable desired web functionality, and if not the web server transmits the required software to the client web browser, citing paragraph [0035] of Madison, reproduced below:

[0035] ActiveX is a technology from Microsoft.RTM. that can add multimedia and interactivity to a client browser program. As a result, the client computer and the Internet effectively interact as if they were one large computer system. ActiveX controls can be created using various programming tools such as Visual Basic or the C programming language. Examples of

ActiveX applications include news tickers, interactive games with multiple players, and multimedia presentations combining animation, sounds, music and graphics. ActiveX programs are referred to as ActiveX "controls" or "components" and are downloaded to, and executed on, a client computer. ActiveX controls are supported by various browser software, such as Microsoft Internet Explorer.TM., Version 3.02 and later versions, and can perform normal application functions in addition to interacting with the Web, the Internet and other computers connected to the Internet. Because ActiveX controls are written as components, they are modular and can be put together like building blocks to build larger and more complex applications. In addition, once an ActiveX component has been downloaded, a client need not download the same component again so that when another ActiveX application is required, only a small portion may need to be downloaded if the other components are already resident on the client computer. When a client visits a Website containing an ActiveX control, the Internet Explorer.TM. browser recognizes the HTML <object> tag, automatically downloads the control, and presents the client with a digital certificate that authenticates the control. The user then decides whether or not to install the control.

Although the above-noted paragraph of Madison may generally disclose a server detecting whether a client web browser has necessary software to enable desired web functionality and if not the web server transmitting the required software to the client web browser via an Active X control, such a general disclosure would not lead one of ordinary skill to the novel feature recited in claim 1 that, upon initiation of a data transmission process by a user of a client using a browser without a backward channel, a control mechanism on a query data server automatically recognizes that the data transmission process to be started requires use of a browser with a backward channel, after which a browser with the backward channel is caused to be started on the client, the browser with the backward channel being for the recited data transmission process.

Accordingly, the Examiner has failed to make a *prima facie* case with respect to the noted features. One of ordinary skill in the art would not arrive at the invention of claim 1, based on Dyer and such a general disclosure in Madison, with expected and predictable results, absent impermissible hindsight reconstruction of Applicants' invention based on Applicants disclosure. In this regard, it is pointed out that the mere disclosure of ActiveX technology cannot suggest the present invention given that ActiveX is not a backward

channel browser and Dyer neither uses a backward channel browser nor has any apparent need for either ActiveX technology or a backward channel browser.

The remaining applied references to Hewitt et al., Gorodetsky et al., Lippiner et al., and Musgrove, alone or in combination, also fail to cure the noted deficiencies in Dyer and Madison since they also lack any disclosure or suggestion to automatically download a backward channel browser in accordance with the process set forth in claim 1.

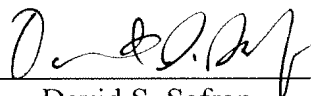
The dependent claims 2-14 are allowable over the applied references on their own merits and at least for the reasons advanced above with respect to claim 1. Specifically, new claim 13 recites the novel features of performing a data transmission process by a user of a client using a browser over a browser channel different from the backward channel. As noted above, the applied references are silent with respect to use of a backward channel and much less wherein a browser channel different from a backward channel is employed.

New claim 14 recites the additional novel features of initiating of a query process by an input from a user in a second display window associated with and adjacent to a first display window. The applied references fail to disclose, teach or suggest this feature as well.

As a result, no combination of the applied references could lead one of ordinary skill to the presently claimed invention. Therefore, withdrawal of all of the outstanding rejections is in order and is now requested.

Therefore, in the absence of new and more relevant prior art being discovered, this application should now be in condition for allowance and action to that effect is requested. However, while it is believed that this application should now be in condition for allowance, in the event that any issues should remain, or an new issues arise, after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for the purpose of resolving any such issue and thereby facilitating prompt approval of this application.

Respectfully submitted,

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